

IN RE: PETITION FOR ZONING VARIANCE  
E/S Meadow Road, 214' N of the  
c/l of German Hill Road  
(2429 Meadow Road)  
12th Election District  
7th Councilmanic District  
Robert B. Brown, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1 foot in lieu of the required 5.25 feet for an open projection (carport), as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protests.

Testimony indicated that the subject property, known as 2429 Meadow Road, is zoned D.R. 5.5 and is improved with a single family dwelling. Petitioners propose constructing a 12' x 30' carport to provide protection for themselves and their automobiles from inclement weather. Petitioners indicated they discussed the matter with their neighbor on the affected side who has no objection to their plans. Testimony indicated that the variance requested would not adversely affect the health, safety and general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with

the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of October, 1988 that the Petition for Zoning Variance to permit a side yard setback of 1 foot in lieu of the required 5.25 feet for an open projection (carport), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING  
Date 10/25/88  
By Robert B. Brown

CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

4 N. Center Place  
P.O. Box 8936  
Dundalk, Md. 21222

September 29, 1988

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines, Zoning Commissioner in the matter of Zoning Elys. - Case 89-150-A - P.O. #05105 - Reg. #420325 - 88, lines 1-4, 44, 00, was inserted in the Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 30th day of September 1988; that is to say, the same was inserted in the issues of Sept. 29, 1988

Kimbel Publication, Inc.  
per Publisher.

Bv

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct. 18, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Sept. 29, 1988.

THE JEFFERSONIAN,

P.O. #05104  
Pg #120236  
Line #36-63

S. Zafe Orlan  
Publisher

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Zoning Variance  
Case Number: 89-150-A  
E/S Meadow Road, 214' N c/l German Hill Road  
(2429 Meadow Road)  
12th Election District - 7th Councilmanic District  
Petitioner(s): Robert B. Brown, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 11:00 a.m.  
Variance to allow a side yard setback of 1 foot in lieu of the required 5.25 feet for an open projection (carport).  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner or his representative, any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
8/26/88 Sept 28

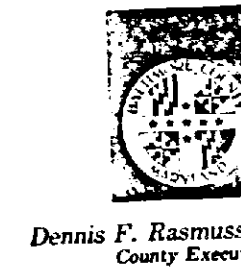
CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 12th Date of Posting: 10/13/88  
Posted for: Variance  
Petitioner: Robert B. Brown, et ux  
Location of property: E/S Meadow Rd, 214' N c/l German Hill Rd, 2429 Meadow Rd  
Location of Sign: Towson, Meadow Rd, 2429 Meadow Rd, 12th Election District, 7th Councilmanic District  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 10/14/88  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

October 25, 1988



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Robert B. Brown  
2429 Meadow Road  
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE  
E/S Meadow Road, 214' N of the c/l of German Hill Road  
(2429 Meadow Road)  
12th Election District - 7th Councilmanic District  
Robert B. Brown, et ux - Petitioners  
Case No. 89-150-A

Dear Mr. & Mrs. Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Mr. & Mrs. Robert B. Brown  
2429 Meadow Road  
Baltimore, Maryland 21222

Re: Petition for Zoning Variance  
CASE NUMBER: 89-150-A  
E/S Meadow Road, 214' N c/l German Hill Road  
(2429 Meadow Road)  
12th Election District - 7th Councilmanic District  
Petitioner(s): Robert B. Brown, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 11:00 a.m.

Dear Mr. & Mrs. Brown:

Please be advised that \$94.63 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204 fifteen (15) minutes before the hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE 10/21/88 ACCOUNT 2-01-215-000  
AMOUNT \$ 94.63  
RECEIVED FROM Robert B. Brown  
FOR Posting and Advertising 10/21/88 lessing  
B 8 (2) \*\*\*\*\*245370 89-150-A  
VALIDATION OR SIGNATURE OF CARRIER  
DATE-TIME PRE-ADVISORY YELLOW CARRIER

post set(s), there each set not

ner of

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-150-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B. To permit a side yard setback of 1 foot in lieu of the required 5.25 feet for an open projection (carport).

Due to the location of the existing building on the lot, it is impossible to erect a visible carport without a variance.

MAP 6E 2P  
the 4A  
E.D. 14 1/2  
DATE 10-25-88  
200 18F  
1000 18F  
DP

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address

City and State

Attorney's Telephone No.:

Address

City and State

Ordered By The Zoning Commissioner of Baltimore County, this 31st day of

October, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of October, 1988, at 11 o'clock a.m.

J. Robert Haines

Zoning Commissioner of Baltimore County.

(over)

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

September 14, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

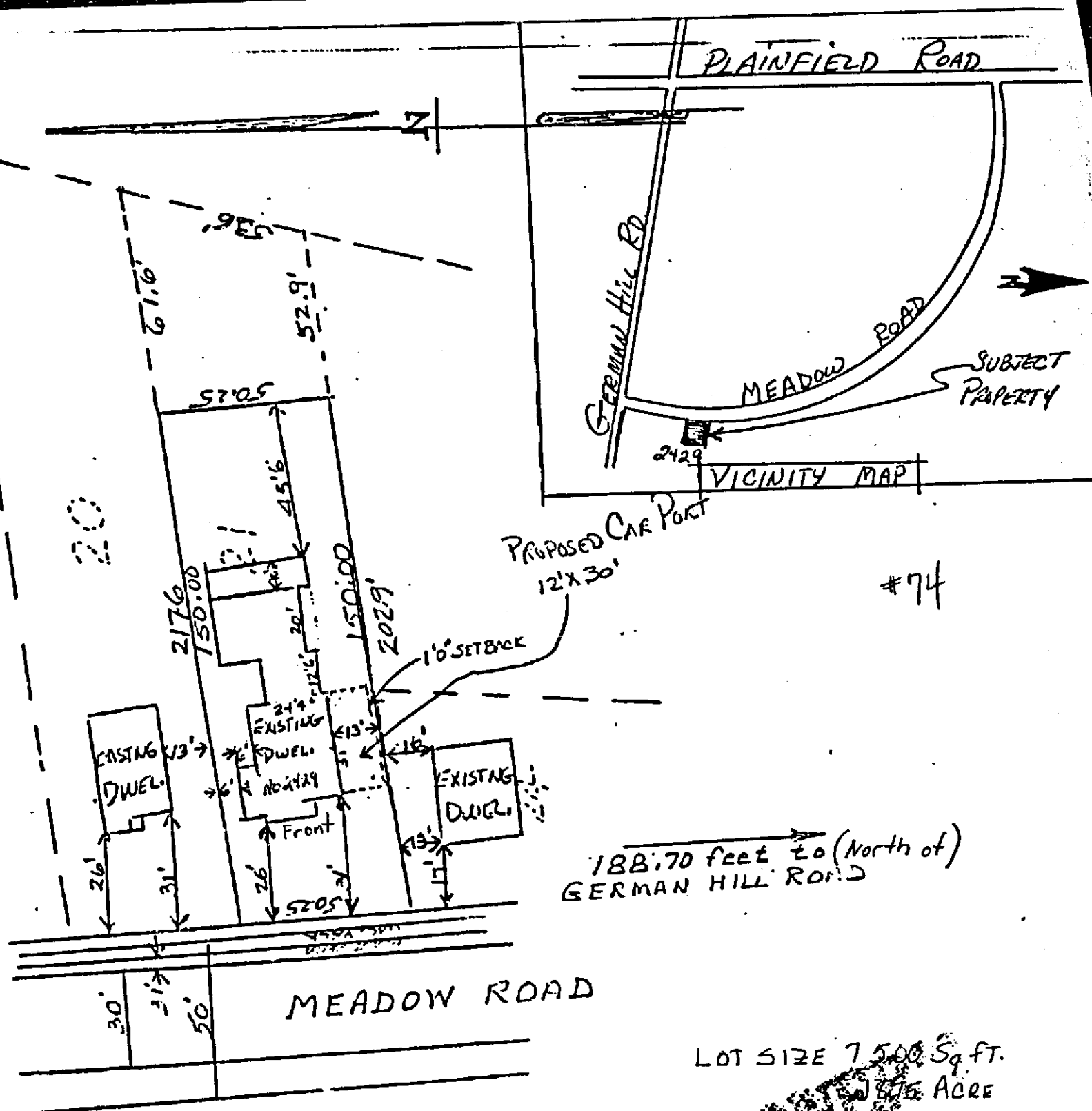
Petition for Zoning Variance  
CASE NUMBER: 89-150-A  
E/S Meadow Road, 214' N c/l German Hill Road  
(2429 Meadow Road)  
12th Election District - 7th Councilmanic District  
Petitioner(s): Robert B. Brown, et ux  
HEARING SCHEDULED: FRIDAY, OCTOBER 21, 1988 at 11:00 a.m.

Variance to permit a side yard setback of 1 foot in lieu of the required 5.25 feet for an open projection (carport).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
cc: Mr. & Mrs. Brown  
File





PLAT FOR ZONING VARIANCE  
 OWNERS - ROBERT & ELIZABETH BROWN  
 DISTRICT 12 - ZONED RESIDENTIAL  
 SUBDIVISION - SECTION # 2 PLAINFIELD  
 LOT 21, PLAT BOOK Q. H.K. NO. 13 FOLIO NO. 132  
 EXISTING UTILITIES IN MEADOW ROAD  
 SCALE: 1" = 40'  
 PROPOSED: 12' x 30' OPEN CARPORT 1' FROM SIDE PROPERTY LINE

89-150-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your petition has been received and accepted for filing this  
 31st day of August, 1988.

*J. Robert Haines*  
 J. ROBERT HAINES  
 ZONING COMMISSIONER

Petitioner Robert B. Brown, et ux  
 Petitioner's Attorney

Received by: James E. Dyer  
 Chairman, Zoning Plans  
 Advisory Committee

Baltimore County  
 Fire Department  
 Towson, Maryland 21204-2586  
 494-4500

Paul H. Reincke  
 Chief

September 12, 1988

J. Robert Haines, Zoning Commissioner  
 Office of Planning & Zoning  
 Baltimore County Office Building  
 Towson, Maryland 21204

Re: Property Owner: Robert B. Brown, et ux

Location: E/S of Meadow Road, 214' N. of c/l of German  
 Hill Road

Item No.: 74 Zoning Agenda: Meeting of 8/30/88

Dennis F. Rasmussen  
 County Executive

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *C. J. Kelly* 9-1306 NOTED & APPROVED: *John F. O'Neill*  
 Planning Group Fire Prevention Bureau  
 Special Inspection Division

/j1

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 10, 1988

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21204

Mr. & Mrs. Robert B. Brown  
 2429 Meadow Road  
 Dundalk, Maryland 21222

o0o

RE: Item No. 74 - Case No. 89-150-A  
 Petitioner: Robert B. Brown, et ux  
 Petition for Zoning Variance

MEMBERS

Bureau of Engineering  
 Department of Traffic Engineering  
 State Roads Commission  
 Bureau of Fire Prevention  
 Health Department  
 Project Planning  
 Building Department  
 Board of Education  
 Zoning Administration  
 Industrial Development

Dear Mr. & Mrs. Brown:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
 JAMES E. DYER  
 Chairman  
 Zoning Plans Advisory Committee

JED:dt